THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.23987 OF 2005

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Dt:09.11.2005

Between:

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D.Shyamsunder Reddy

… Petitioner

and

The Government of A.P. and another

… Respondents

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THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.23987 OF 2005

ORDER:

The petitioner is working as Deputy Executive Engineer in the second respondent Corporation. At present, he is holding full additional charge of the post of Executive Engineer. The petitioner states that he has been found fit to hold the post of Executive Engineer in full additional charge and that on account of his seniority, he is entitled to be considered for regular appointment to that post also. He seeks a direction to the respondents for consideration of his case for such regular promotion in the existing vacancy of Executive Engineer.

Heard the learned counsel for the petitioner and the learned Government Pleader for

Social Welfare.

The petitioner filed copies of several documents relating to the fixation of seniority of Deputy Executive Engineers in the second respondent corporation. He has also filed a copy of the order in W.P.No.13107 of 2004. It is evident that the seniority of the Deputy Executive Engineers has been finalized through proceedings dated 19.07.2004, but the same was withdrawn through subsequent proceedings, dated 04.09.2004. The process of finalisation of the seniority list is still on. Unless the seniority among the Deputy Executive Engineers is finalised, the second respondent cannot be expected to make promotions to the post of Executive Engineers on regular basis. Even where the seniority list is ready and the vacancies exist, employees cannot claim promotion as of right. However, inasmuch as the post of Executive Engineer is being held on full additional charge basis, it is in the interest of every one that regular selections take place at the earliest. For this purpose, the seniority list in the post of Deputy Executive Engineers has to be finalised.

Therefore, the writ petition is disposed of directing the second respondent to finalize the seniority list of the Deputy Engineers working in it, within a period of four months from the date of receipt of a copy of this order, duly following the procedure, and thereafter, consider the feasibility of making promotions to the post of Executive Engineers on regular basis at the earliest.

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09.11.2005

kdl